

### REMARKS

The Office Action of December 3, 2002 has been carefully considered.

Claim 24 has been rejected under 35 USC 112, 2<sup>nd</sup> paragraph, on the grounds that "the investor data" lacks antecedent basis.

Commas have been added to the claim to clarify how the claim should be read, and withdrawal of this rejection is requested.

Claims 14-30 have been rejected under 35 USC 102(e) over Eder, Published US Application No. 2002/0046143.

The present application entered the national phase in the US Patent and Trademark Office on March 15, 2000 based on an international application filed on September 18, 1998, and was not voluntarily published, and is therefore considered a "pre PB-PUB" application, as defined in MPEP 706.02(a). Pre PG-PUB applications are subject to the former version of 35 USC 102(e) which required citation of a patent filed in the US before the invention thereof by applicant. As set forth in MPEP 706.02(a):

#### **When Examining Pre PG-PUB Applications**

When examining any application filed prior to November 29, 2000 which has not been voluntarily published (pre PG-PUB application), for 35 U.S.C. 102(e) to apply:

(A) The reference must be a U.S. Patent (or SIR) with a filing date earlier than the effective filing date of the application. See MPEP §§ 2136.03. Note that, for purposes of 35 U.S.C. 102(e), the filing date of the reference patent

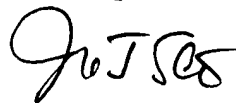
which has issued on an application entitled to priority from a provisional application under 35 U.S.C. 119(e) is the filing date of the provisional application, except for a patent granted on an international application (PCT) in which applicant has fulfilled the requirements of paragraphs (1), (2) and (4) of 35 U.S.C. 371. The prior art date of a patent granted on such a 35 U.S.C. 371 application is the date on which paragraphs (1), (2) and (4) of 35 U.S.C. 371 have been fulfilled; and

(B) The inventive entity of the application must be different than that of the reference. Note that, where there are joint inventors, only one inventor need be different for the inventive entities to be different and a rejection under 35 U.S.C. 102(e) is applicable even if there are some common inventors.

The present application cannot, therefore, properly be rejected over the Eder published application under 35 USC 102(e), and withdrawal of this rejection is requested.

In view of the foregoing amendments and remarks, Applicant submits that the present application is now in condition for allowance. An early allowance of the application with amended claims is earnestly solicited.

Respectfully submitted,



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## APPENDIX

### IN THE CLAIMS:

24. (Amended) A computer based method of determining part of the value of an asset for investment by an investor, comprising:

receiving, from the investor, data relating to market value of the asset and to a preferred term of the investment;

determining an amount for potential investment as a portion of the value of the asset;

calculating market values for a range of possible investments using the portion of the value of the asset;

presenting the investor with a range of market values for the range of possible investments, including at least some investments in which:

the amounts invested are less than or equal to the portion of the value of the asset;

the value of the investment is less than or equal to the value of the asset;

the term of the investment is substantially equal to the preferred term; or

the value and term of the investment are substantially matched to the value of the asset and the preferred term respectively; and

receiving from the investor an indication of a selected investment.